UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,854	09/27/2000	Ikuyo Ikeda	196466US 2	6529

				EXAMINER
22850	7590	07/13/2005		TRAN, QUOC A

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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/669,854	IKEDA, IKUYO
	Examiner	Art Unit	
	Quoc A. Tran	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>24 May 2005</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>15-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>15-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to RCE and Amendment concurrently filed 05/24/2005.

·2.   Claims 15-24 are currently pending in this application. Claims 15, 18, 21 and 24 are

independent claims.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 05/24/2005 has been entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

4.   **Independent claims 15, 18, 21 and 24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Munetomo et al US006661530B1- filed- 11/05/1998 (hereinafter Munetomo),

in view of Gaglione et al US006069637A - filed- 07/29/1996 (hereinafter Gaglione).

In regard to independent claim 15, a dialog device configured to display an image on a screen based on and after receiving the command to print a document as a preview of printing (Munetomo at col. 1, lines 5-15, discloses a print processing apparatus using a computer system equipped with an application software for editing printing data and a printer driver for setting an operation of a printer, each of the software and the printer driver having a print setting screen, also Munetomo at col. 2, line 55 through col. 3, line 15, discloses a printer driver, which has printing function from a specific to a printer for sending printing data directly from an application program to the printer and the display means further displays a print preview image on a particular screen), **an inserting device configured to insert at least one of …an image … into the displayed image, wherein the at least one of …an image … are assigned on the displayed image on the screen by a user,** (Munetomo at col. 3, line 64 through col. 4, line 11, discloses a print processing apparatus using a computer system equipped with an application software for editing printing data and a printer driver for setting an operation of a printer, wherein a print preview display image on a particular screen that include a means of insertion/removal of a blank page into/from an arbitrary page and designation of face/back side of printing paper for each page can be effected by direct manipulation of the screen for displaying the preview image, which is read in the broadest reasonable interpretation as claimed (i.e.. insertion of a blank page into from an arbitrary page is reasonably equivalent to insert at an image as claimed), **an image forming device configured to form an image by inserting the at least one …image … in a position specified by the user on the displayed image on the screen** (Munetomo at col. 3, line 64 through col. 4, line 11, discloses a print processing apparatus using a computer system equipped with an application software for editing printing

data and a printer driver for setting an operation of a printer, wherein a print preview display

image on a particular screen that include a means of insertion/removal of a blank page into/from

an arbitrary page and designation of face/back side of printing paper for each page can be

effected by direct manipulation of the screen for displaying the preview image, which is read in

the broadest reasonable interpretation as claimed (i.e.. into/from an arbitrary page and

designation of face/back side of printing paper for each page can be effected by direct

manipulation of the screen for displaying the preview image is reasonably equivalent to insert at

an image in a position specified by the user on the displayed image on the screen as claimed)

and a display indicating device configured to display the formed image on the Screen

(Munetomo at col. 4, lines 5-15, discloses print preview screen wherein user can perform

manipulation while observing the preview screen, editing operation of inserting or removing a

blank page and confirmation thereof are facilitated).

Munetomo does not explicitly teach, …**to insert at least one of a text… into the**

displayed image, wherein the at least one of the text, … are assigned on the displayed image

on the screen by a user, however (Gaglione at col. 7, line 29 through col. 8, line 35 also see

figured 7 sheet 7 of 7, discloses a system and method for producing customized images and

printing the image, wherein a text entering mode for entering of text that may be provided. This

text editing mode has a working screen that includes a first text editing portion wherein the

actual text that is being typed in by the operator is displayed in a form that is easy to read and

also which clearly describes where text is to be placed, illustrated in FIG. 7, two locations for the

placement of text; text A and text B, also provides preview buttons, which represent various

operations to be conducted on the order such as but not limited to, product information, image

instructions, text on product, required fit editing, preview product, print order), **an image forming device configured to form an image by inserting the at least one of the text... in a position specified by the user on the displayed image on the screen,** however (Gaglione at col. 7, line 29 through col. 8, line 35 also see figured 7 sheet 7 of 7, discloses a system and method for producing customized images and printing the image, wherein a text entering mode for entering of text that may be provided. This text editing mode has a working screen that includes a first text editing portion wherein the actual text that is being typed in by the operator is displayed in a form that is easy to read and also which clearly describes where text is to be placed, illustrated in FIG. 7, two locations for the placement of text; text A and text B, also provides preview buttons, which represent various operations to be conducted on the order such as but not limited to, product information, image instructions, text on product, required fit editing, preview product, print order).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Munetomo, provided a print processing apparatus using a computer system equipped with application software for editing printing data and a printer driver for setting an operation of a printer, wherein a print preview display image on a particular screen that include a means of insertion image to a designated position, to include a means of producing customized images and printing the image/ text on product, required fit editing, preview product, print order. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a text entering mode for entering of text wherein the actual text that is being typed in by the operator is displayed in a form that is easy to

read and also which clearly describes where text is to be placed (as taught by Gaglione at col. 7, lines 29-40).

In regard to independent claims 18, 21 and 24 incorporate substantially similar subject matter as cited in claim 15 above, and are similarly rejected along the same rationale.

5.   **Dependent claims 16, 19-20 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Munetomo et al US006661530B1- filed- 11/05/1998 (hereinafter Munetomo), in view of Gaglione et al US006069637A - filed- 07/29/1996 (hereinafter Gaglione).

In regard to dependent claim 16, incorporate substantially similar subject matter as cited in claim 15 above, and further in view of the following, and is similarly rejected along the same rationale, **reduces the image to be printed and moves the reduced image in up-and-down and right-and-left directions on the screen,** however (Gaglione at col. 8, lines 5-35, discloses a system and method for producing customized images and printing the image, wherein the editing screen also has many other features, such as format, text on product, required fit editing, preview product, print order, which is read in the broadest reasonable interpretation as claimed, wherein format, required fit editing on a preview screen display is reasonable equivalent to reduced image in up-and-down and right-and-left directions on the screen).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Munetomo, provided a print processing apparatus using a computer system equipped with application software for editing printing data and a printer driver for setting an operation of a printer, wherein a print preview display image on a particular screen that include a means of insertion image to a designated position, to include

a means of producing customized images and printing the image/ text on product, required fit

editing, preview product, print order. One of the ordinary skills in the art would have been

motivated to perform such a modification to provide a text entering mode for entering of text

wherein the actual text that is being typed in by the operator is displayed in a form that is easy to

read and also which clearly describes where text is to be placed (as taught by Gaglione at col. 7,

lines 29-40).

In regard to dependent claim 19, a computer in which the printer driver program

according to claim 18 is installed (Munetomo at col. 1, lines 5-15, discloses a print processing

apparatus using a computer system equipped with an application software for editing printing

data and a printer driver for setting an operation of a printer, each of the software and the printer

driver having a print setting screen).

In regard to dependent claim 20, and a printer (Munetomo at col. 1, lines 5-15,

discloses a print processing apparatus using a computer system equipped with an application

software for editing printing data and a printer driver for setting an operation of a printer, each of

the software and the printer driver having a print setting screen).

In regard to dependent claim 22, incorporate substantially similar subject matter as

cited in claim 16 above, and is similarly rejected along the same rationale.

6.   **Dependent claims 17 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Munetomo et al US006661530B1- filed- 11/05/1998 (hereinafter Munetomo), in view of

Gaglione et al US006069637A - filed- 07/29/1996 (hereinafter Gaglione), further on view of

Hansen et al US patent No. 6,462,756 B1 - filed 05/17/2000 (hereinafter Hansen).

In regard to dependent claim 17, incorporate substantially similar subject matter as cited in claim 15 above, and further in view of the following, and is similarly rejected along the same rationale,

Munetomo and Gaglione do not explicitly teach, **the combined image is edited by a drag and drop operation,** however (Hansen at col. 9, lines 24-40, discloses a GUI interface, wherein document can be collectively "objects" are visually represented on the workstation display, such as with icons, tree structures and pull-down menus, and may be interacted with using known devices and methods such as utilizing a mouse or track ball to control a visually represented pointing device which is then used to click, select, drag and drop the displayed representations).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Munetomo, provided a print processing apparatus using a computer system equipped with application software for editing printing data and a printer driver for setting an operation of a printer, wherein a print preview display image on a particular screen that include a means of insertion image to a designated position, to include a means of producing customized images and printing the image/ text on product, required fit editing, preview product, print order, and further include a means of interacted with using known devices and methods such as utilizing a mouse or track ball to control a visually represented pointing device which is then used to click, select, drag and drop the displayed representations . One of the ordinary skills in the art would have been motivated to perform such a modification to provide a print image forming device that capable of producing high quality document and the

ability to manipulate the original document plus the instruction for producing the finishing

product to transmitted to a printer, (as taught by Hansen at col. 1, lines 15-45).

In regard to dependent claim 23, incorporate substantially similar subject matter as

cited in claim 17 above, and is similarly rejected along the same rationale.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The

examiner can normally be reached on Monday through Friday from 11AM to 7PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A, Tran
Patent Examiner
Technology Center 2176

July 09, 2005

WILLIAM BASHORE
PRIMARY EXAMINER
7/10/2005